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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	David P. Guilfoyle)	
)	
Application No.:	09/929,882)	Group Art Unit: 1761
)	
Filing Date:	August 14, 2001)	Atty. Docket No.: 19390.01US1
)	
Title:	Apparatus And Method For)	
	Cold-Proofing Multiple)	
	Dough Pieces)	

RESPONSE TO NOTICE TO FILE MISSING PARTS (37 CFR 1.53(b))

Assistant Commissioner for Patents
Washington, DC 20231

In response to the Notice to File Missing Parts of Nonprovisional Application mailed on August 14, 2001, enclosed is the executed Declaration for the above-identified patent application.

Also enclosed is Part 2 of the Notice to File Missing Parts.

Applicant hereby also requests the following corrections to the Filing Receipt. The Patent and Trademark Office inadvertently omitted the address of the first inventor, David P. Guilfoyle, who is located in Columbus, Ohio and the name of the second inventor, which Applicant submitted on the unsigned declaration that was filed with the original application. Accordingly, please add the residence of David P. Guilfoyle and the name of Wayne K. Spillner from Westerville, Ohio to the Filing Receipt. A marked-up copy of the Filing Receipt is also submitted herewith.

The Commissioner is hereby authorized to charge Deposit Account Number 011,156 for the surcharge of \$130.00 as set forth in 37 CFR 1.16(e). The Commissioner is also authorized to charge any fee deficiency or credit overpayment to deposit account number 011,156.

Respectfully submitted,

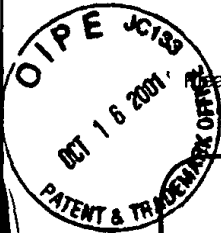
Date: October 1, 2001

By: 

Michael G. Kelber, Reg. No. 41,111
Alzheimer & Gray
10 S. Wacker Dr. - Suite 4000
Chicago, IL 60606
(312) 715-4000

Certificate of Mailing: I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on this 1st day of October, 2001.


Michelle Cook



Please type a plus sign (+) inside this box. → ☒

PTO/SB/2146-98

Approved for use through 09/30/2000. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/929,882
Filing Date	August 14, 2001
First Named Inventor	David P. Guilfoyle
Group Art Unit	1761
Examiner Name	
Attorney Docket Number	19390.01US1

Total Number of Pages in This Submission

10

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<div>Declaration Postcard</div>
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	
<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Michael G. Kelbern, Althamer & Gray
Signature	
Date	October 1, 2001

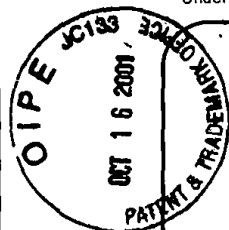
CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: October 1, 2001

Typed or printed name	Michelle Cook	Date	October 1, 2001
Signature			

+ Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 130

Complete if Known

Application Number	09/929,882
Filing Date	August 14, 2001
First Named Inventor	David P. Guilfoyle
Examiner Name	
Group / Art Unit	1761
Attorney Docket No.	19390.01US1

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:Deposit
Account
Number

011,156

Deposit
Account
Name

011,156

- ☒ Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17
☐ Applicant claims small entity status.
See 37 CFR 1.27

2. ☐ Payment Enclosed:
☐ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	0
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1)

(\$ 0)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
-20**	0	0	0
Independent Claims	-3**	0	0
Multiple Dependent		0	0

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$ 0)

**or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	130
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 130)

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)

Michael G. Keiber

Registration No. Attorney/Agent

41,111

Telephone

312-715-4000

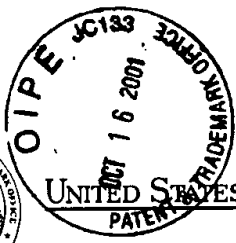
Signature

Date

October 1, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/929,882	08/14/2001	David P. Guilfoyle	19390.01US1

CONFIRMATION NO. 9295

25541
ALTHEIMER & GRAY
TEN SOUTH WACKER DRIVE, SUITE 4000
CHICAGO, IL 60606-7482

FORMALITIES LETTER



OC00000006569415

Date Mailed: 09/18/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

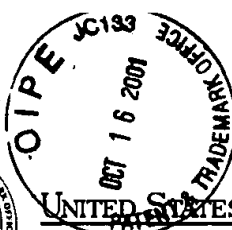
*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

10/18/2001 SDIRETA1 00000061 011156 09929882

01 FC:105 130.00 CH



UNITED STATES PATENT AND TRADEMARK OFFICE

 COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/929,882	08/14/2001	1761	1392	19390.01US1	3	49	5

CONFIRMATION NO. 9295

 25541
 ALTHEIMER & GRAY
 TEN SOUTH WACKER DRIVE, SUITE 4000
 CHICAGO, IL 60606-7482

FILING RECEIPT



OC000000006569414

Date Mailed: 09/18/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

 Applicant(s) Columbus, Ohio
 David P. Guilfoyle, ~~Residence Not Provided~~
 Wayne K. Spillner, Westerville, Ohio
 Domestic Priority data as claimed by applicant

 RECEIVED
 DOCKET

09/18/2001

Foreign Applications

If Required, Foreign Filing License Granted 09/18/2001

 ALTHEIMER & GRAY
 By: DKT/10

Projected Publication Date: Request for Non-Publication Acknowledged

Non-Publication Request: Yes

Early Publication Request: No

Title

Apparatus and method for cold-proofing multiple dough pieces

Preliminary Class

099

Data entry by : VORACHACK, CHUNTASORN Team : OIPE

Date: 09/18/2001